

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Leslie Lyons
Kathy Lyons
Debtor(s)

Bankruptcy Case No.: 19-21165-JAD
Issued Per Oct. 3, 2019 Proceeding
Chapter: 13
Docket No.: 39 – 21, 35
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated April 19, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,387 as of October 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Isanthes, LLC at Claim No. 13; City and School District of Pittsburgh at Claim No. 15 .
- ☒ H. Additional Terms: No distributions to Jefferson Capital Systems (Claim No. 10) shall be made as the car was repossessed but any deficiency claim may share in the unsecured pool.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: October 11, 2019

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Leslie Lyons
 Kathy Lyons
 Debtors

Case No. 19-21165-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 38

Date Rcvd: Oct 11, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 13, 2019.

db/jdb
 cr +Leslie Lyons, Kathy Lyons, 3105 Bergman Street, Pittsburgh, PA 15204-1849
 +City and School District of Pittsburgh, Goehring, Rutter & Boehm,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,
 UNITED STATES OF AMERICA 15219-6101
 cr +Pittsburgh Water & Sewer Authority, Goehring, Rutter, and Boehm,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,
 UNITED STATES OF AMERICA 15219-6101
 15018349 +Aaa Debt Rec, Pob 129, Monroeville, PA 15146-0129
 15018350 Bureau Of Account Mana, Bureau Of Account, Camp Hill, PA 17011
 15018352 +City and School District of Pittsburgh, c/o Goehring Rutter & Boehm,
 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101
 15071446 +City of Pittsburgh & School District of Pittsburgh, Goehring, Rutter & Boehm,
 c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building,
 Pittsburgh, PA 15219-6101
 15063682 +First Commonwealth Bank, c/o Karen L. Hughes, Esquire, AAS Debt Recovery Inc.,
 2526 Monroeville Blvd., Suite 205, Monroeville, PA 15146-2371
 15018354 +Goehring, Rutter & Boehm, 437 Grant Street 14th FL, Pittsburgh, PA 15219-6107
 15064185 +Isanthes, LLC, Land Home Financial Services, Inc., 3611 South Harbor Blvd Suite 100,
 Santa Ana, CA 92704-7915
 15036178 +Jordan Tax Service, Inc., 102 Rahway Road, Canonsburg, PA 15317-3349
 15036179 +KML, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
 15018359 +PA American Water, PO Box 371412, Pittsburgh, PA 15250-7412
 15018360 +Peoples Gas Bankruptcy Dept., 375 N Shore Drive Ste 600, Attn: Dawn Linder,
 Pittsburgh, PA 15212-5866
 15031189 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 15018361 +Pittsburgh Water & Sewer, C/O Jordan Tax, 102 Rahway Street, McMurray, PA 15317-3349
 15071442 +Pittsburgh Water and Sewer Authority, Goehring, Rutter & Boehm,
 c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building,
 Pittsburgh, PA 15219-6101
 15036189 +Rushmore Loan Management, P.O. Box 55004, Irvine, CA 92619-5004
 15018364 +Rushmore Loan Management, P.O. Box 52708, Irvine, CA 92619-2708
 15018365 +Td Auto Finance, Po Box 9223, Farmington Hills, MI 48333-9223
 15059809 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
 15036192 +Wilmington Savings Fund Society, 15480 Laguna Cnayon Road, Suite 100,
 Irvine, CA 92618-2132

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

15057783 +E-mail/Text: bknotices@professionalcredit.com Oct 12 2019 02:47:34 CONSUMER CELLULAR,
 C/O PROFESSIONAL CREDIT SERVICE, PO BOX 7548, SPRINGFIELD, OR 97475-0039
 15018351 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 12 2019 02:50:57 Capital One,
 PO Box 30281, Salt Lake City, UT 84130-0281
 15018353 +E-mail/Text: kb Burkley@bernsteinlaw.com Oct 12 2019 02:47:44 Duquense Light Company,
 c/o Keri P. Ebeck Bernstein & Burkley PC, 707 Grant Street Ste. 2200,
 Pittsburgh, PA 15219-1945
 15061920 +E-mail/Text: kb Burkley@bernsteinlaw.com Oct 12 2019 02:47:44 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 15036175 +E-mail/Text: bankruptcynotice@fcbanking.com Oct 12 2019 02:46:34 First Commonwealth Bank,
 601 Philadelphia St, Indiana, PA 15701-3952
 15018355 E-mail/Text: JCAP_BNC_Notices@jcap.com Oct 12 2019 02:47:28 Jefferson Capital,
 PO BOX 7999, Saint Cloud, MN 56302
 15060620 E-mail/Text: JCAP_BNC_Notices@jcap.com Oct 12 2019 02:47:28 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 15018356 E-mail/PDF: resurgentbknotifications@resurgent.com Oct 12 2019 02:50:32 LVNV Funding,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15018357 E-mail/Text: musaauto_bknotice@musaauto.com Oct 12 2019 02:47:21 Markone Financial Llc,
 P O Box 17038, Jacksonville, FL 32245
 15036182 +E-mail/Text: csc.bankruptcy@amwater.com Oct 12 2019 02:47:47 PA American Water,
 PO Box 578, Alton, IL 62002-0578
 15018363 +E-mail/PDF: resurgentbknotifications@resurgent.com Oct 12 2019 02:50:32 PYOD LLC,
 C/O Resurgnet Capital, PO Box 19008, Greenville, SC 29602-9008
 15024930 +E-mail/PDF: resurgentbknotifications@resurgent.com Oct 12 2019 02:50:33 PYOD, LLC,
 Resurgent Capital Services, PO Box 19008, Greenville, SC 29602-9008
 15018358 +E-mail/Text: csc.bankruptcy@amwater.com Oct 12 2019 02:47:47 Pennsylvania American Water,
 PO Box 578, Alton, IL 62002-0578
 15018362 +E-mail/Text: bknotices@professionalcredit.com Oct 12 2019 02:47:34 Professional Credit Se,
 Po Box 7548, Springfield, OR 97475-0039
 15057745 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Oct 12 2019 02:51:12 Verizon,
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
 15018366 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Oct 12 2019 02:46:25
 Verizon, 500 Technology Dr, Weldon Spring, MO 63304-2225

TOTAL: 16

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 38

Date Rcvd: Oct 11, 2019

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr RUSHMORE LOAN MANAGEMENT SERVICES as servicer for
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
Pittsburgh, PA 15233-1828
15036170* +Aaa Debt Rec, Pob 129, Monroeville, PA 15146-0129
15036171* Bureau Of Account Mana, Bureau Of Account, Camp Hill, PA 17011
15036172* +Capital One, PO Box 30281, Salt Lake City, UT 84130-0281
15036173* +City and School District of Pittsburgh, c/o Goehring Rutter & Boehm,
437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101
15036174* +Duquesne Light Company, c/o Keri P. Ebeck Bernstien & Burkley PC,
707 Grant Street Ste. 2200, Pittsburgh, PA 15219-1945
15036176* +Goehring, Rutter & Boehm, 437 Grant Street 14th FL, Pittsburgh, PA 15219-6107
15036177* ++JEFFERSON CAPITAL SYSTEMS LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999
(address filed with court: Jefferson Capital, PO BOX 7999, Saint Cloud, MN 56302)
15036180* LVNV Funding, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15024929* LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15036181* ++MUSA AUTO FINANCE, PO BOX 550870, JACKSONVILLE FL 32255-0870
(address filed with court: Markone Financial LLC, P O Box 17038, Jacksonville, FL 32245)
15036183* +PA American Water, PO Box 371412, Pittsburgh, PA 15250-7412
15036187* +PYOD LLC, C/O Resurgnet Capital, PO Box 19008, Greenville, SC 29602-9008
15036184* +Peoples Gas Bankruptcy Dept., 375 N Shore Drive Ste 600, Attn: Dawn Linder,
Pittsburgh, PA 15212-5866
15036185* +Pittsburgh Water & Sewer, C/O Jordan Tax, 102 Rahway Street, McMurray, PA 15317-3349
15036186* +Professional Credit Se, Po Box 7548, Springfield, OR 97475-0039
15036188* +Rushmore Loan Management, P.O. Box 52708, Irvine, CA 92619-2708
15036190* +Td Auto Finance, Po Box 9223, Farmington Hills, MI 48333-9223
15036191* +Verizon, 500 Technology Dr, Weldon Spring, MO 63304-2225

TOTALS: 1, * 20, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 13, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 11, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor RUSHMORE LOAN MANAGEMENT SERVICES as servicer for
Atlantica, LLC. bkgroupp@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com,
cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor City and School District of Pittsburgh jhunt@grblaw.com,
cnoroski@grblaw.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Joint Debtor Kathy Lyons ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Paul W. McElrath, Jr. on behalf of Debtor Leslie Lyons ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgph.com,
srk@sjwpgph.com; PNGbankruptcy@peoples-gas.com

TOTAL: 9